



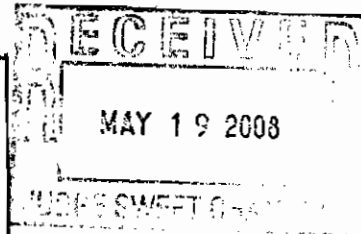
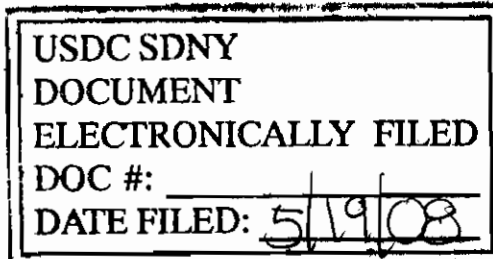
United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

May 16, 2008

BY HAND DELIVERY

The Honorable Robert W. Sweet
United States District Judge
United States Courthouse
500 Pearl St., Room 1920
New York, NY 10007



Re: *Erdheim v. Commissioner of Internal Revenue*, 07 Civ. 8415 (RWS)(DFE)

Dear Judge Sweet:

This Office represents the Commissioner of Internal Revenue (the "IRS"), the defendant in the above-referenced civil action. The IRS and *pro se* plaintiff, Mr. Michael Erdheim, have been in negotiations over a proposed stipulation that would resolve two of the three claims that Mr. Erdheim asserts in this action. I write to seek a five-week extension to the Government's time to respond to the Complaint in this action from May 19, 2008 to June 23, 2008. Mr. Erdheim consents to this request.

The purpose of this extension is to enable the parties to attempt to resolve a substantial part of this case. In a recent letter, Mr. Erdheim identified a number of issues regarding the proposed stipulation. The parties agreed to meet so that the IRS could address Mr. Erdheim's questions and concerns. Due to Mr. Erdheim's schedule, the meeting is planned for May 29, 2008. To allow that meeting to go forward and to provide the IRS with time to prepare a response after the meeting, I respectfully request that the Court grant the extension requested.

This is the fourth request for an extension in this action. As no scheduling order has been entered, granting this request for an extension will not have an effect on any other deadline in this action. I thank the Court for its consideration of this request.

*S. ordered
Sent USAJ
5-19-08*

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By: *liyu*

LI YU

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